

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

DUSTIN ROSS KELLEY,

Petitioner,

v.

RONALD FRAKER,

Respondent.

CASE NO. C12-5993 BHS

ORDER ADOPTING REPORT
AND RECOMMENDATION

This matter comes before the Court on the Report and Recommendation (“R&R”) of the Honorable J. Richard Creatura, United States Magistrate Judge. Dkt. 12. The Court having considered the R&R and the remaining record, and no objections having been filed, does hereby find and order as follows:

- (1) The R&R is **ADOPTED**;
- (2) Petitioner’s petition for habeas corpus (Dkt. 6) is **DENIED**;
- (3) A certificate of appealability is **DENIED**; and
- (4) This case is closed.

Dated this 11th day of June, 2013.



BENJAMIN H. SETTLE
United States District Judge